

**Scope of Investigation**

Having considered the complaint, the U.S. International Trade Commission, on September 29, 1997, *ordered*, That

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine whether there is a violation of subsection (a)(1)(B) of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain integrated circuits or products containing same by reason of infringement of claims 1, 2, 3, 8, 9, or 10 of U.S. Letters Patent 4,641,166 or claims 1, 6, 14, 15, 18, 27, or 37 of U.S. Letters Patent B1 4,352,724, and whether there exists an industry in the United States as required by subsection (a)(2) of section 337.

(2) For the purpose of the investigation so instituted, the following are hereby named as parties upon which this notice of investigation shall be served:

(a) The complainants are:

Fujitsu Limited, 6-1, Marunouchi 1-chome, Chiyoda-ku, Tokyo 100, Japan  
Fujitsu Microelectronics, Inc., 3545 North First Street, San Jose, California 95134.

(b) The respondents are the following companies alleged to be in violation of section 337, and are the parties upon which the complaint is to be served:

Samsung Electronics Co., Ltd., Samsung Main Building 250, 2-Ka, Taepyeong-Ro, Chung-Ku, Seoul, 100-742 Korea  
Samsung Semiconductor, Inc., 3655 North First Street, San Jose, California 95134.

(c) Smith R. Brittingham IV, Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, 500 E Street, S.W., Room 401-M, Washington, D.C. 20436, who shall be the Commission investigative attorney, party to this investigation; and

(3) For the investigation so instituted, the Honorable Paul J. Luckern is designated as the presiding administrative law judge.

Responses to the complaint and the notice of investigation must be submitted by the named respondents in accordance with section 210.13 of the Commission's Rules of Practice and Procedure, 19 C.F.R. 210.13. Pursuant to 19 C.F.R. 201.16(d) and 210.13(a) of the Commission's Rules, such responses will be considered by the Commission if received not later than 20 days after the date of service by the Commission of the complaint and the notice of investigation. Extensions of time for submitting responses to the complaint will not be granted unless good cause therefor is shown.

Failure of a respondent to file a timely response to each allegation in the complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the complaint and this notice, and to authorize the administrative law judge and the Commission, without further notice to the respondent, to find the facts to be as alleged in the complaint and this notice and to enter both an initial determination and a final determination containing such findings, and may result in the issuance of a limited exclusion order or a cease and desist order or both directed against such respondent.

Issued: October 30, 1997.

By order of the Commission.

**Donna R. Koehnke,**

*Secretary,*

[FR Doc. 97-29269 Filed 11-4-97; 8:45 am]

BILLING CODE 7020-02-P

## **INTERNATIONAL TRADE COMMISSION**

[Inv. No. 337-TA-394]

### **Certain Screen Printing Machines, Vision Alignment Devices Used Therein, and Component Parts Thereof; Notice of Commission Determination Not To Review an Initial Determination Terminating the Investigation on the Basis of a Settlement Agreement**

**AGENCY:** U.S. International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has determined not to review the presiding administrative law judge's (ALJ's) initial determination (ID) in the above-captioned investigation terminating the investigation on the basis of a settlement agreement.

**FOR FURTHER INFORMATION CONTACT:** Gail Usher, Esq., Office of the General Counsel, U.S. International Trade Commission, telephone 202-205-3152.

**SUPPLEMENTARY INFORMATION:** This patent-based section 337 investigation was instituted by the Commission on February 27, 1997, on behalf of complainant MPM Corporation (MPM) of Franklin, Massachusetts. 62 FR 10072 (March 5, 1997). The complaint alleged violations of section 337 of the Tariff Act of 1930 in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain screen printing machines, vision alignment

devices used therein, and component parts thereof by reason of infringement of claims 1, 2, 3, 4, 11, 18, and 21 of U.S. Letters Patent 5,060,063, and claims 1 and 7 of U.S. Letters Patent Re. 34,615. The Commission named DEK Printing Machines Limited and DEK USA Inc. (collectively, DEK) as respondents.

On October 3, 1997, complainant and respondents filed a joint motion to terminate the investigation based on a settlement agreement. On October 6, 1997, the presiding ALJ granted the motion and issued an ID (Order No. 13) terminating the investigation on the basis of the settlement agreement. The ALJ found that there was no indication that termination of the investigation would have an adverse impact on the public interest and that termination based on settlement is generally in the public interest. No petitions for review of the ID were filed.

This action is taken under the authority of section 337 of the Tariff Act of 1930, 19 U.S.C. 1337, and Commission rule 210.42, 19 CFR 210.42.

Copies of the ALJ's ID and all other nonconfidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street S.W., Washington, D.C. 20436, telephone 202-205-2000. Hearing-impaired persons are advised that information on the matter can be obtained by contacting the Commission's TDD terminal on 202-205-1810.

Issued: October 28, 1997.

By order of the Commission.

**Donna R. Koehnke,**

*Secretary,*

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## **DEPARTMENT OF LABOR**

### **Office of the Secretary**

#### **Senior Executive Service; Appointment of a Member to the Performance Review Board**

Title 5 U.S.C. 4314(c)(4) provides that Notice of the appointment of an individual to serve as a member of the Performance Review Board of the Senior Executive Service shall be published in the **Federal Register**.

The following individuals are hereby appointed to a three-year term on the Department's Performance Review Board: